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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/732,909	12/10/2003	Ira Marlow	99879-00006	6895
27614 7590 02/24/2009 MCCARTER & ENGLISH, LLP FOUR GATEWAY CENTER 100 MULBERRY STREET NEWARK, NJ 07102			EXAMINER KURR, JASON RICHARD	
			ART UNIT 2614	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/732,909

Applicant(s)

MARLOW, IRA

Examiner

JASON R. KURR

Art Unit

2614

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 January 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7, 9-19, 21 and 23-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7, 9-19, 21 and 23-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/06)
- Paper No(s)/Mail Date 1/9/09 2/6/09
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on January 9, 2009 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1,3,5,7,9,12-15,19,21,24-28,30,32,34-36, and 39-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Coon et al (US 6,539,358 B1) in view of Chen (US 6,397,086 B1).

With respect to claim 1, Coon discloses a docking station (fig.1 #10) for docking and integrating a portable device (fig.1 #20,28) for use with a car radio (fig.3 #66, col.4 ln.27-30), comprising: a base portion (fig.1 #12) for receiving a portable device external to a car stereo (col.2 ln.26-27); a bottom member (fig.1 "unlabeled bar forming cradle on

docking stations #12 and #26") connected to the base portion and defining a cavity for receiving a portable device; and an integration device (fig.2 #38) positioned within the base portion for integrating a portable device with a car stereo (col.2 ln.54-60), wherein the docking station is positioned remotely from a car radio (fig.1).

Coon does not disclose expressly wherein the radio is a stereo system.

Chen discloses a system wherein a portable device (fig.2 "B2") controls a vehicle audio stereo system (fig.2 "A2")(col.1 ln.43-52). At the time of the invention it would have been obvious to a person of ordinary skill in the art implement the radio of Coon as a stereo system, such as the stereo system of Chen. The motivation for doing so would have been to reproduce multi-channel sound within the vehicle compartment, thus providing a realistic dimensional sound.

With respect to claim 3, Coon discloses the apparatus of claim 1, wherein the base portion comprises a connector for connecting the integration device with the portable device (col.2 ln.31-37).

With respect to claim 5, Coon discloses the apparatus of claim 1, wherein the integration device is wirelessly connected to a car stereo (col.4 ln.27-30).

With respect to claim 7, Coon discloses the apparatus of claim 1, wherein the portable device comprises a CD player, CD changer, MP3 player, Digital Audio Broadcast (DAB) receiver, portable video device, or a satellite receiver (col.2 ln.26-31).

With respect to claim 9, Coon discloses the apparatus of claim 1, wherein the integration device comprises a circuit board housed in the base portion (fig.2 #38). It is

implicit that the interface application #38 would contain a circuit board (microprocessor #62) for the processing of the application.

With respect to claim 12, Coon discloses the apparatus of claim 1, wherein the integration device is connected to the car stereo using a bus connection (col.2 ln.31-37).

With respect to claim 13, Coon discloses the apparatus of claim 1, wherein the car stereo is an Original Equipment Manufacturer (OEM) or after-market car stereo. It is inherent that the wireless radio communication of Coon would be compatible with any (OEM) car stereo.

With respect to claim 14, Coon discloses the apparatus of claim 1, further comprising one or more auxiliary input ports connected to the integration device for integrating additional portable devices external to the docking station (col.2 ln.40-43).

With respect to claim 15, Coon discloses a method for docking and integrating a portable device (fig.1 #20,28) for use with a radio (fig.3 #66), comprising: providing a docking station (fig.1 #10) having a base portion (fig.1 #12), a bottom member connected to the base portion (fig.1 "unlabeled bar forming cradle on docking stations #12 and #26"), and an integration device (fig.2 #38) housed within the base portion; inserting a portable device into the docking station and connecting the portable audio device to a connector on the base portion (col.2 ln.26-27); positioning the docking station remotely from a car stereo (fig.1); and integrating the portable device with the integration device for use with a radio (col.4 ln.27-30).

Coon does not disclose expressly wherein the radio is a stereo system.

Chen discloses a system wherein a portable device (fig.2 "B2") controls a vehicle audio stereo system (fig.2 "A2")(col.1 ln.43-52). At the time of the invention it would have been obvious to a person of ordinary skill in the art implement the radio of Coon as a stereo system, such as the stereo system of Chen. The motivation for doing so would have been to reproduce multi-channel sound within the vehicle compartment, thus providing a realistic dimensional sound.

With respect to claim 19, Coon discloses the method of claim 15, further comprising establishing a wireless connection between the integration device and the car stereo (col.4 ln.27-30).

With respect to claim 21, Coon discloses the apparatus of claim 15, wherein the portable device comprises a CD player, CD changer, MP3 player, Digital Audio Broadcast (DAB) receiver, portable video device, or a satellite receiver (col.2 ln.26-31).

With respect to claim 24, Coon discloses the method of claim 15, further comprising connecting the integration device to the car stereo using a bus connection (col.2 ln.31-37).

With respect to claim 25, Coon discloses the apparatus of claim 15, wherein the car stereo is an Original Equipment Manufacturer (OEM) or after-market car stereo. It is inherent that the wireless radio communication of Coon would be compatible with any (OEM) car stereo.

With respect to claim 26, Coon discloses the method of claim 15, further comprising connecting an external portable device to an auxiliary input port on the

docking station and integrating the external portable device with the car stereo (col.2 ln.41-43).

With respect to claim 27, Coon discloses the method of claim 1, wherein the docking station is mountable within a vehicle (fig.1).

With respect to claim 28, Coon discloses the method of claim 15, further comprising mounting the docking station in a vehicle (fig.1).

With respect to claim 30, Coon discloses a docking station (fig.1 #10) for docking and integrating a portable device (fig.1 #20,28) for use with a car radio (fig.3 #66), comprising: a base portion (fig.1 #12) for receiving a portable device external to a car radio; a bottom member (fig.1 "unlabeled bar forming cradle on docking stations #12 and #26") connected to the base portion and defining a cavity for receiving a portable device; and an integration device (fig.2 #38) connected to the base portion and in electrical communication with a car radio and a portable device for integrating a portable device with a car radio, wherein the docking station is positioned remotely from the car radio (fig.1).

Coon does not disclose expressly wherein the radio is a stereo system.

Chen discloses a system wherein a portable device (fig.2 "B2") controls a vehicle audio stereo system (fig.2 "A2")(col.1 ln.43-52). At the time of the invention it would have been obvious to a person of ordinary skill in the art implement the radio of Coon as a stereo system, such as the stereo system of Chen. The motivation for doing so would have been to reproduce multi-channel sound within the vehicle compartment, thus providing a realistic dimensional sound.

With respect to claim 32, Coon discloses the apparatus of claim 30, wherein the base portion comprises a connector for connecting the integration device with the portable device (col.2 ln.31-37).

With respect to claim 34, Coon discloses the apparatus of claim 30, wherein the integration device is wirelessly connected to a car stereo (col.4 ln.27-30).

With respect to claim 35, Coon discloses the apparatus of claim 30, wherein the portable device comprises a CD player, CD changer, MP3 player, Digital Audio Broadcast (DAB) receiver, portable video device, or a satellite receiver (col.2 ln.26-31).

With respect to claim 36, Coon discloses the apparatus of claim 30, wherein the integration device comprises a circuit board housed in the base portion (fig.2 #38). It is implicit that the interface application #38 would contain a circuit board (microprocessor #62) for the processing of the application.

With respect to claim 39, Coon discloses the apparatus of claim 1, wherein the integration device is connected to the car stereo using a bus connection (col.2 ln.31-37).

With respect to claim 40, Coon discloses the apparatus of claim 1, wherein the car stereo is an Original Equipment Manufacturer (OEM) or after-market car stereo. It is inherent that the wireless radio communication of Coon would be compatible with any (OEM) car stereo.

With respect to claim 41, Coon discloses the apparatus of claim 1, further comprising one or more auxiliary input ports connected to the integration device for integrating additional portable devices external to the docking station (col.2 ln.40-43).

Claims 2,11,16-17,31 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Coon et al (US 6,539,358 B1) in view of Chen (US 6,397,086 B1) and in further view of Kerner et al (US 5,897,155).

With respect to claim 2, Coon discloses the apparatus of claim 1, however does not disclose expressly wherein a top member is hingedly connected at an edge to the base portion, however Coon does disclose that the mounting of the docking station may have alternative configurations as well as couple to other interior components of the motor vehicle (col.2 ln.17-21).

Kerner discloses a center console of a motor vehicle comprising a top member (fig.2 #12) that is hingedly connected (fig.2 #13) at an edge to a base portion (fig.2 #10). At the time of the invention it would have been obvious to a person of ordinary skill in the art to mount the docking station #12 of Coon within the console of Kerner. The motivation for doing so would have been to provide a closeable case that can reduce risks of damage to the portable device while in the docked position, and to keep the portable device out of sight to prevent theft.

With respect to claim 11, Coon discloses the apparatus of claim 2, wherein the top member is pivotable away from the bottom member to allow access to the portable audio device (Kerner: col.3 ln.15).

With respect to claim 16, Coon discloses the method of claim 15, however does not disclose expressly further comprising providing a top member connected to the base portion and pivotable away from the bottom member prior to inserting the portable audio device into the docking station, however Coon does disclose that the mounting of the

Art Unit: 2614

docking station may have alternative configurations as well as couple to other interior components of the motor vehicle (col.2 ln.17-21).

Kerner discloses a center console of a motor vehicle comprising a top member (fig.2 #12) that is hingedly connected (fig.3 #13) at an edge to a base portion (fig.2 #10). At the time of the invention it would have been obvious to a person of ordinary skill in the art to mount the docking station #12 of Coon within the console of Kerner. The motivation for doing so would have been to provide a closeable case that can reduce risks of damage to the portable device while in the docked position, and to keep the portable device out of sight to prevent theft.

With respect to claim 17, Coon discloses the method of claim 16, further comprising closing the top member to retain the portable audio device in the docking station (Kerner: col.3 ln.15).

With respect to claim 31, Coon discloses the apparatus of claim 30, however does not disclose expressly further comprising a top member hingedly connected at an edge to the base portion, however Coon does disclose that the mounting of the docking station may have alternative configurations as well as couple to other interior components of the motor vehicle (col.2 ln.17-21).

Kerner discloses a center console of a motor vehicle comprising a top member (fig.2 #12) that is hingedly connected (fig.3 #13) at an edge to a base portion (fig.2 #10). At the time of the invention it would have been obvious to a person of ordinary skill in the art to mount the docking station #12 of Coon within the console of Kerner. The motivation for doing so would have been to provide a closeable case that can reduce

Art Unit: 2614

risks of damage to the portable device while in the docked position, and to keep the portable device out of sight to prevent theft.

With respect to claim 38, Coon discloses the apparatus of claim 31, however the top member is pivotable away from the bottom member to allow access to the portable audio device (Kemer: col.3 ln.15).

Claims 4,10,18,23,29,33 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Coon et al (US 6,539,358 B1) in view of Chen (US 6,397,086 B1) and in further view of Miyazaki et al (US 6,163,079).

With respect to claim 4, Coon discloses the apparatus of claim 1, however does not disclose expressly further comprising a cable interconnected at one end to the integration device and at an opposite end to a car stereo. The system of Coon communicates with the car stereo wirelessly.

Miyazaki discloses an apparatus that is capable of being docked to another apparatus through the use of a cable (fig.7 "W") interconnected between the apparatuses (col.9 ln.7-15). At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the cable of Miyazaki to connect the docking station and car stereo of Coon. The motivation for doing so would have been to reduce the effects noise present in wireless radio transmission system by providing a wired connection.

With respect to claim 10, Coon discloses the apparatus of claim 1, however does not disclose expressly wherein the docking station is mountable in a vehicle trunk.

Miyazaki discloses an automobile audio system wherein a docking station (fig.1 #38) is mountable in the trunk (col.4 ln.11-14). At the time of the invention it would have been obvious to a person of ordinary skill in to mount the docking station of Coon in the trunk of a vehicle as disclosed by Miyazaki. The motivation for doing so would have been for applications wherein a primary listening position of a user would be located outside of the vehicle, in situations where the vehicle is parked.

With respect to claim 18, Coon discloses the method of claim 15, however does not disclose expressly further comprising interconnecting the integration device with the car stereo with a cable.

Miyazaki discloses an apparatus that is capable of being docked to another apparatus through the use of a cable (fig.7 "W") interconnected between the apparatuses (col.9 ln.7-15). At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the cable of Miyazaki to connect the docking station and car stereo of Coon. The motivation for doing so would have been to reduce the effects noise present in wireless radio transmission system by providing a wired connection.

With respect to claim 23, Coon discloses the method of claim 15, however does not disclose expressly wherein the apparatus further comprises mounting the docking station in a vehicle trunk.

Miyazaki discloses an automobile audio system wherein a docking station (fig.1 #38) is mountable in the trunk (col.4 ln.11-14). At the time of the invention it would have been obvious to a person of ordinary skill in to mount the docking station of Coon in the

Art Unit: 2614

trunk of a vehicle as disclosed by Miyazaki. The motivation for doing so would have been for applications wherein a primary listening position of a user would be located outside of the vehicle, in situations where the vehicle is parked.

With respect to claim 29, Coon discloses the method of claim 28 however does not disclose expressly further comprising mounting the docking station in a vehicle trunk.

Miyazaki discloses an automobile audio system wherein a docking station (fig.1 #38) is mountable in the trunk (col.4 ln.11-14). At the time of the invention it would have been obvious to a person of ordinary skill in to mount the docking station of Coon in the trunk of a vehicle as disclosed by Miyazaki. The motivation for doing so would have been for applications wherein a primary listening position of a user would be located outside of the vehicle, in situations where the vehicle is parked.

With respect to claim 33, Coon discloses the apparatus of claim 30, however does not disclose expressly further comprising a cable interconnected at one end to the integration device and at an opposite end to a car stereo.

Miyazaki discloses an apparatus that is capable of being docked to another apparatus through the use of a cable (fig.7 "W") interconnected between the apparatuses (col.9 ln.7-15). At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the cable of Miyazaki to connect the docking station and car stereo of Coon. The motivation for doing so would have been to reduce the effects noise present in wireless radio transmission system by providing a wired connection.

With respect to claim 37, Coon discloses the apparatus of claim 30, however does not disclose expressly wherein the docking station is mountable in a vehicle trunk.

Miyazaki discloses an automobile audio system wherein a docking station (fig.1 #38) is mountable in the trunk (col.4 ln.11-14). At the time of the invention it would have been obvious to a person of ordinary skill in to mount the docking station of Coon in the trunk of a vehicle as disclosed by Miyazaki. The motivation for doing so would have been for applications wherein a primary listening position of a user would be located outside of the vehicle, in situations where the vehicle is parked.

Response to Arguments

Applicant's arguments with respect to claims 1, 15 and 30 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JASON R. KURR whose telephone number is (571)272-0552. The examiner can normally be reached on M-F 10:00am to 6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on 571-272-7848. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2614

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jason R Kurr/
Examiner, Art Unit 2614

/Vivian Chin/
Supervisory Patent Examiner, Art Unit 2614